

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION

JEFFREY W. DRAPER,

Petitioner,

vs.

STATE OF IOWA, CLAY COUNTY  
DISTRICT COURT, SUPREME COURT  
OF IOWA,

Respondents.

No. C07-4092-LRR

ORDER

This matter is before the court pursuant to the petitioner's motion to reconsider (docket no. 5). The petitioner filed such motion on November 13, 2007. Along with his motion to reconsider, the petitioner submitted \$5.00, which the Clerk's Office returned.

The petitioner's motion to reconsider (docket no. 5) is **DENIED**. Regarding this case and *Draper v. State, et al.*, Case No. 5:07-cv-04096-LRR, the petitioner only needs to submit a proper application for a writ of habeas corpus and either the required \$5.00 filing fee or an application to proceed in forma pauperis. Any appeal to the Eighth Circuit Court of Appeals is premature at this point because the petitioner only needs to file a new action by submitting an application for a writ of habeas corpus regarding each of his state cases and either the required \$5.00 filing fee or an application to proceed in forma pauperis. The Clerk of Court is **DIRECTED** to send the petitioner the forms typically used by those seeking relief under 28 U.S.C. § 2254 and in forma pauperis status under 28 U.S.C. § 1915.

In light of his state court cases, the petitioner should complete the form which pertains to an application for a writ of habeas corpus and then submit it and either the

required \$5.00 filing fee or an application to proceed in forma pauperis. Once the court receives the petitioner's application(s) for a writ of habeas corpus, the court will conduct an initial review pursuant to Rule 4 of the Rules Governing Section 2254 Cases.

The Clerk's Office is directed to file this order in the instant case as well as *Draper v. State, et al.*, Case No. 5:07-cv-04096-LRR.

**IT IS SO ORDERED.**

**DATED** this 14th day of November, 2007.



LINDA R. READE  
CHIEF JUDGE, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF IOWA